

REMARKS/DISCUSSION OF ISSUES

The Examiner is respectfully requested to state whether the drawings are acceptable.

Claims 17-29 have been withdrawn from consideration. Claims 1-16 remain in the application. Claims 3-16 are allowed.

Claim 7 has been amended to correct a typographical error.

Claim 10 has been amended to overcome the objection to the phrase 'claims 6 and 7', by changing the 'and' to 'or'.

Claims 1 and 2 are rejected under 35 USC 103(a) as being unpatentable over Shippee et al. (herein 'Shippee') in view of Gutta et al. (herein 'Gutta').

Shippee discloses a ceramic metal halide discharge lamp of the same general type as that claimed by Applicant. While the lamp includes an arc tube, Shippee does not teach or suggest anything with respect to coiling a wire around the outside of the arc tube, as acknowledged by the Examiner. In fact, Shippee's invention relates to a wire frame member for relieving thermal stress.

Gutta discloses a high pressure sodium vapor lamp having a refractory metal wire coiled around the arc tube. Such lamps require a considerably higher starting voltage than do other types of arc discharge lamps, such a metal halide. See col. 1, lines 33-36. The purpose of the coiled metal wire is to secure a heater to the outside of the arc tube, but also to provide auxilliary heating to further aid in starting. See col. 3, lines 7-12.

Because Gutta teaches the use of heating devices to aid in starting high pressure sodium lamps, and furthermore Gutta teaches that such starting problems do not occur in other types of discharge lamps such as metal halide lamps, the skilled

artisan would not be led by the teachings of Gutta to apply a coiled wire to the arc tube of a metal halide lamp.

On the contrary, by teaching that such a coiled wire is a support for a starting aid as well as an auxilliary starting aid, and that such starting problems are unique to high pressure sodium lamps, Gutta actually teaches away from Applicant's invention.

It is only with the aid of hindsight from Applicant's own teachings that the skilled artisan could be led to the invention, and such hindsight is not permitted in judging obviousness under Section 103.

In view of the teachings of Gutta, claim 1 has been amended to call for the discharge lamp to be a metal halide lamp.

The Examiner disagrees with the above arguments, stating that Gutta teaches that a metal coil can be used in discharge lamps to lower the startup voltage and to provide structural support, citing col. 3, lines 7-10.

However, there is nothing in Shippee to indicate that there is a need to lower the starting voltage. Thus, there is no motivation for the skilled worker to apply the teachings of Gutta to a lamp of the type disclosed by Suppee. There must be something in at least one of the references of a combination to suggest the desirability of combining their teachings. Here, there is nothing to suggest such a combination. In fact, as already pointed out, Gutta teaches that starting is not a problem for metal halide lamps, but only for sodium vapor lamps. Thus, Gutta actually suggests that it is **not** necessary to use a coil in Suppee's lamp, and thus teaches away from Applicant's invention.

Accordingly, it is felt that the rejection of claims 1 and 2 under 35 USC 103(a) over Shippee in view of Gutta is in error and should be withdrawn.

The allowance of claims 3-16 is appreciated. However, in view of the above arguments and amendments, it is felt that all of the pending claims are allowable over the applied references.

In view of the foregoing, Applicant respectfully requests that the Examiner withdraw the objections and rejections of record, allow all of the pending claims, and find the application to be in condition for allowance.

Respectfully submitted,

A handwritten signature in cursive script, reading "John C. Fox", is written over a horizontal line.

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